IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Atty. Docket

MARTIN OUWERKERK ET AL. NL 000676

Serial No. Group Art Unit

Filed: CONCURRENTLY Ex.

Title: METAL HYDRIDE BATTERY MATERIAL WITH HIGH STORAGE CAPACITY

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend claims 3 and 5-12 as follows:

3.(Amended) A hydrogen storage material as claimed in claim 1, characterized in that the intermetallic compound comprises a scandium-magnesium alloy.

5.(Amended) A hydrogen storage material as claimed in claim 3, characterized in that the scandium-magnesium alloy comprises 15-40 at.% scandium and 60-85 at.% magnesium.

6.(Amended) A hydrogen storage material as claimed in claim 3, characterized in that the scandium-magnesium alloy comprises 30-40 at.% scandium and 60-70 at.% magnesium.

7. (Amended) A hydrogen storage material as claimed in claim 1, characterized in that the scandium-magnesium alloy comprises $Sc_{0.35}Mg_{0.65}H_x$.

8. (Amended) A hydrogen storage material as claimed in claim 1, characterized in that it comprises an amount of a catalytically active material.

9. (Amended) A hydrogen storage material as claimed in claim 1, characterized in that the catalytically active material comprises at least one metal selected from the group consisting of palladium, platinum, cobalt, nickel, rhodium or iridium, and/or a composition of the formula DE_3, wherein D is at least one element selected from the group consisting of Cr, Mo and W, and E is at least one element selected from the group consisting of Ni and Co.

10. (Amended) A hydrogen storage material as claimed in claim 1, characterized in that the catalytically active material comprises palladium, platinum or rhodium.

11. (Amended) An electrochemically active material, characterized in that the material comprises a hydrogen storage material as claimed in claim 1.

12. (Amended) An electrochemical cell at least comprising a positive electrode and a negative electrode, characterized in that the negative electrode comprises a hydrogen storage material as claimed in claim 1.

REMARKS

The foregoing amendment to claims 3 and 5-12 were made solely to avoid filing the claims in the multiple dependent form so as to avoid the additional filing fee.

The claims were not amended in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents. Applicant furthermore reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Respectfully submitted,

By________________________
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Appendix A

Version with Markings
to Show Changes Made to the Claim
The following are marked up versions of amended claims 3 and 5-12:

3.(Amended) A hydrogen storage material as claimed in claim 1 ~~or 2~~, characterized in that the intermetallic compound comprises a scandium-magnesium alloy.

5.(Amended) A hydrogen storage material as claimed in claim 3 ~~or 4~~, characterized in that the scandium-magnesium alloy comprises 15-40 at.% scandium and 60-85 at.% magnesium.

6.(Amended) A hydrogen storage material as claimed in claims 3-~~5~~, characterized in that the scandium-magnesium alloy comprises 30-40 at.% scandium and 60-70 at.% magnesium.

7. (Amended) A hydrogen storage material as claimed in claim 1 ~~one or more of the preceding claims~~, characterized in that the scandium-magnesium alloy comprises $Sc_{0.35}Mg_{0.65}H_x$.

8. (Amended) A hydrogen storage material as claimed in claim1 ~~one or more of the preceding claims~~, characterized in that it comprises an amount of a catalytically active material.

9. (Amended) A hydrogen storage material as claimed in claim 1 ~~one or more of the preceding claims~~, characterized in that the catalytically active material comprises at least one metal selected from the group consisting of palladium, platinum, cobalt, nickel, rhodium or iridium, and/or a composition of the formula DE_3, wherein D is at least one element selected from the group

consisting of Cr, Mo and W, and E is at least one element selected from the group consisting of Ni and Co.

10.(Amended) A hydrogen storage material as claimed in claim 1 ~~one or more of the preceding claims~~, characterized in that the catalytically active material comprises palladium, platinum or rhodium.

11.(Amended) An electrochemically active material, characterized in that the material comprises a hydrogen storage material as claimed in claim 1 ~~one or more of the claims 1 to 10~~.

12.(Amended) An electrochemical cell at least comprising a positive electrode and a negative electrode, characterized in that the negative electrode comprises a hydrogen storage material as claimed in claim 1 ~~one or more of the claims 1 to 10~~.